

**McGarry Bair** PC  
Intellectual Property Counselors

171 Monroe Avenue NW Suite 600 Grand Rapids MI 49503 mcgarrybair.com  
Tel (616) 742-3500 Fax (616) 742-1010

## Facsimile Transmission

TO Ms. Mamie P. Person FROM Christine M. Judge  
FAX 571-270-9985 PAGES 10 + Coversheet  
PHONE DATE July 18, 2006  
RE Serial No.: 10/511,013 - Our Ref: 70078-0212 - Response to Missing Parts Filed 06/21/05

☒ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable laws. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return original message to us at the above address via U.S. Postal Service. Thank you.

### Comments:

Dear Ms. Person:

Enclosed herewith please find a copy of the Response to Notice to File Missing Parts of Application along with our fax confirmation showing the facsimile was transmitted successfully. Thank you for your assistance in this matter.  
Best regards, Christine M. Judge

RECEIVED  
21 JUL 2006  
Legal Staff  
International Division

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: MICHAEL K. FAUBLE

For: FUEL FILLER HOSE

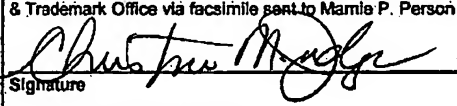
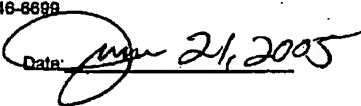
Serial No.: 10/511,013

Examiner:

Filed: October 8, 2004

Group Art Unit: 3643

Docket No.: 70078-0212

| CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(e))  |   |
|--|---|
| I hereby certify that this correspondence is, on the date shown below, being transmitted to Office of Initial Patent Examination at the United States Patent & Trademark Office via facsimile sent to Mammie P. Person at 703-746-8698 |   |
| <br>Signature   | Date:  21, 2005 |
| Christine M. Judge<br>(type or print name of person certifying)  |   |

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted for filing in the above-referenced patent application are the following:

- ☒ A Declaration for Utility or Design Patent Application.
- ☒ A copy of the Notice to File Missing Parts of Application Filing Date Granted.
- ☒ An Assignment of the invention to Avon Property Management Co., Assignment Recordation Cover Sheet, with authorization to charge to our Deposit Account No. 50-2003 \$40.00 for the recording fee.
- ☒ Authorization to charge to our Deposit Account No. 50-2003 of \$130 for the surcharge for late filing of the Declaration as set forth in 37 C.F.R. § 1.16(e).

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☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2003.

1. Any patent application processing fees under 37 C.F.R. § 1.17:
2. Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims; and
3. Any additional filing fees required under 37 C.F.R. § 1.16.
4. Any Assignment recording fees.

☒ A duplicate copy of this correspondence is enclosed.

Respectfully submitted,

MICHAEL K. FAUBLE

Dated: 6-21-05

  
\_\_\_\_\_  
John E. McGarry, Reg. No. 22,360

MCGARRY BAIR PC

171 MONROE AVE., N.W., SUITE 600

Grand Rapids, Michigan 49503

Telephone: (616) 742-3500

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Please type a plus sign in this box:



PTO/SB/01 (3-97)

Approved for use through 6/30/98. OMB 0651-0032

Patent and Trademark Office; US DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |  |   |  |
|--|--|---|--|
| <b>DECLARATION FOR<br/>UTILITY OR DESIGN<br/>PATENT APPLICATION</b>  |  | <b>Attorney Docket No.</b> 70078-0212         |  |
| <input checked="" type="checkbox"/> Declaration submitted with or initial filing <input type="checkbox"/> Declaration submitted after initial filing |  | <b>First Named Inventor</b> Michael K. Fauble |  |
|  |  | <b>COMPLETE IF KNOWN</b>                      |  |
|  |  | <b>Application No.</b>                        |  |
|  |  | <b>Filing Date</b>                            |  |
|  |  | <b>Group Art Unit</b>                         |  |
|  |  | <b>Examiner Name</b>                          |  |

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (only if one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FUEL FILLER HOSE  
*(Title of the Invention)*

the specification of which

☐ is attached hereto

or

☒ was filed on October 8, 2004, as United States Application Number or PCT International Application Number: 10/511,013 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YY) | Priority Not Claimed | Certified Copy Attached  |                          |
|-------------------------------------|---------|--------------------------------|----------------------|--------------------------|--------------------------|
|                                     |         |                                |                      | YES                      | NO                       |
|                                     |         |                                |                      | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                |                      | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                |                      | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

| Application Number (s) | Filing Date (MM/DD/YY) | <input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto. |
|------------------------|------------------------|--|
| 60/371,800             | 04/11/02               |  |
|                        |                        |  |
|                        |                        |  |

Please type a plus sign in this box:



PTO/SB/01 (3-97)

Approved for use through 6/30/98. OMB 0651-0032  
Patent and Trademark Office; US DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| DECLARATION - Utility Or Design Patent Application   |  |   |  |  |  |  |  |
|--|--|---|--|--|--|--|--|
| I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the matter provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application. |  |   |  |  |  |  |  |
| U.S Parent Application Number  |  | PCT Parent Number                                   |  | Parent Filing Date (MM/DD/YYYY)  |  | Parent Patent Number (if applicable)                     |  |
|  |  | PCT/US03/11130                                      |  | 04/10/2003   |  |  |  |
| <input type="checkbox"/> Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.   |  |   |  |  |  |  |  |
| As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: <input checked="" type="checkbox"/> Customer Number 20915<br>Or<br><input type="checkbox"/> Registered practitioner(s) name/registration number listed below   |  |   |  |  |  |  |  |
| Name   |  | Registration No.                                    |  | Name   |  | Registration No.   |  |
| John E. McGarry  |  | 22,360  |  | Mark A. Davis  |  | 37,118   |  |
| H. Lawrence Smith  |  | 24,900  |  | G. Thomas Williams   |  | 42,228   |  |
| Joel E. Bair   |  | 33,356  |  | Michael F. Kelly   |  | 50,859   |  |
| <input type="checkbox"/> Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.   |  |   |  |  |  |  |  |
| Direct all correspondence to <input checked="" type="checkbox"/> Customer Number or Bar Code Label   |  |   |  | 20915  |  | or <input type="checkbox"/> Correspondence Address below |  |
| Name   |  | John E. McGarry, Reg. No. 22,360<br>McGarry Bair PC |  |  |  |  |  |
| Address  |  | 171 Monroe Avenue, NW, Suite 600                    |  |  |  |  |  |
| City, State, Zip   |  | Grand Rapids, Michigan 49503                        |  |  |  |  |  |
| Country  |  | US  |  | Telephone  |  | 616-742-3500   |  |
|  |  |   |  | Fax  |  | 616-742-1010   |  |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.  |  |   |  |  |  |  |  |
| Name of Sole or First Inventor   |  |   |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor. |  |  |  |
| Given Name (first and middle [if any])   |  |   |  | Family Name or Surname   |  |  |  |
| Michael K.   |  |   |  | Fauble   |  |  |  |
| Inventor's Signature   |  | Michael K. Fauble                                   |  |  |  | Dated 10/7/04  |  |
| Residence: City  |  | Cadillac  |  | State MI   |  | Country US   |  |
| Post Office Address  |  | 9650 E. M-155                                       |  |  |  |  |  |
| City   |  | Cadillac  |  | State MI   |  | Zip 49601  |  |
|  |  |   |  | Country US   |  |  |  |
| <input type="checkbox"/> Additional inventors are being named on the supplemental additional inventor(s) sheet(s) PTO/SB/02A attached hereto.  |  |   |  |  |  |  |  |

Form PTO-1595 (Rev. 09/04)  
OMB No. 0651-0027 (exp. 6/30/2005)U.S. DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

**1. Name of conveying party(ies)/Execution Date(s):**

Michael K. Fauble

Execution Date(s) 10/07/04

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No**2. Name and address of receiving party(ies)**

Name: Avon Property Management Co.

Internal Address: \_\_\_\_\_

Street Address: 805 West Thirteenth Street

City: Cadillac

State: Michigan

Country: USA

Zip: 49801

Additional name(s) & address(es) attached? ☐ Yes ☒ No**3. Nature of conveyance:**☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Government Interest Assignment☐ Executive Order 9424, Confirmatory License☐ Other \_\_\_\_\_**4. Application or patent number(s):**

A. Patent Application No.(s)

10/511,013

☐ This document is being filed together with a new application.

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No**5. Name and address to whom correspondence concerning document should be mailed:**

Name: John E. McGarry

Internal Address: McGarry Bair PC

Street Address: 171 Monroe Avenue, N.W.

Suite 600

City: Grand Rapids

State: Michigan

Zip: 49503

Phone Number: 616-742-3500

Fax Number: 616-742-1010

Email Address: jem@mcgarrybair.com

**6. Total number of applications and patents involved:**

1

**7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00**☐ Authorized to be charged by credit card☒ Authorized to be charged to deposit account☐ Enclosed☐ None required (government interest not affecting title)**8. Payment Information**

a. Credit Card Last 4 Numbers \_\_\_\_\_

Expiration Date \_\_\_\_\_

b. Deposit Account Number 50-2003

Authorized User Name John E. McGarry

**9. Signature:**

Signature

Date

John E. McGarry, Reg. No. 22,360

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents:

3

Documents to be recorded (including cover sheet) should be faxed to (703) 308-5995, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

Individual  
Corporation

ASSIGNMENT

WHEREAS, Michael K. Fauble, residing at 9650 E. M-155, Cadillac, Michigan 49601 (hereinafter "Assignor") has invented certain new and useful improvements in a

**FUEL FILLER HOSE**

for a full description of which reference is here made to an application for Letters Patent of the United States of America executed by Assignor as of the respective dates associated with his/her name herein; and

WHEREAS, AVON PROPERTY MANAGEMENT CO., a corporation of the State of Michigan having its principal office and place of business in the City of Cadillac, County of Wexford, State of Michigan, (hereinafter "Assignee") is desirous of acquiring the entire right, title, and interest in, to, and under said invention and application above-identified, and in, to, and under any Letters Patent that may be obtained for said invention, together with all foreign rights corresponding thereto, as hereinafter more fully set forth.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that, for and in consideration of the sum of One Dollar (\$1.00), and other valuable and legally sufficient consideration, the receipt of which by Assignor from Assignee is hereby acknowledged, Assignor has agreed to sell, assign, and transfer and by these presents does hereby sell, assign, and transfer unto Assignee the entire right, title, and interest in, to, and under: said invention and application above identified; any Letters Patent of the United States of America that may be obtained in respect thereof; any corresponding applications for Letters Patent and Letters Patent therefor in all other areas of the world; and any reissues, extensions, substitutions, confirmations, divisions, and continuations of any of the foregoing (hereinafter "Invention Rights"), to have and to hold for the sole and exclusive use and benefit of Assignee forever.

Assignor hereby covenants and agrees, for himself/herself and for his/her respective legal representatives, to assist and cooperate with Assignee in the preparation and prosecution of any applications included within the Invention Rights and in the prosecution or defense of any interference, opposition, or other proceeding that may arise in connection with any applications or Letters Patent included within the Invention Rights and further to execute and deliver to Assignee any and all additional papers that may be requested by Assignee for the purpose of implementing the terms of this ASSIGNMENT.

Assignor hereby authorizes and empowers Assignee to invoke and claim for any applications or Letters Patent included within the Invention Rights the benefit of any rights to which Assignor might be entitled under international law or under the laws of any particular country (such as, without limitation, the right of priority provided by the International Convention for the Protection of Industrial Property, as amended) and to invoke and claim such rights without further written or oral authorization from Assignor.

Assignor hereby consents that a copy of this ASSIGNMENT shall be deemed a full legal and formal equivalent of any assignment, consent to file, or like document that may be required in any particular country for any purpose and more particularly in proof of the right of Assignee to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended.

Assignor covenants and agrees that this ASSIGNMENT and all of the terms hereof shall inure to the benefit of the successors, assigns, legal representatives, or nominees of Assignee, without further written or oral authorization from Assignor.

Assignor hereby authorizes and requests Assignee to fill in the following blanks specifying the United States Serial No. and filing date for said application above identified:

U.S. Serial No. \_\_\_\_\_  
Filed \_\_\_\_\_

but Assignee's failure to do so shall have no bearing whatsoever upon the validity or legal effect of this ASSIGNMENT.

Assignor hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States Patent and Trademark Office to issue Letters Patent to Assignee in accordance with the terms of this ASSIGNMENT.

IN TESTIMONY WHEREOF, the said Assignor has hereunto set his hand on the date indicated below.

Dated: 10/7/04

SIGNATURE:  
NAME:

Michael K. Fauble  
Michael K. Fauble

STATE OF Michigan

COUNTY OF Wexford

)  
) ss.  
)

On this 7<sup>th</sup> day of October, 2004, personally appeared before me the above-named Michael K. Fauble, to me known and known to me to be the person described in and who executed the foregoing instrument and acknowledged the same to be his free act and deed in and for the purposes set forth in said instrument.

Susan K. Peterson

Notary Public Wexford County, Michigan

SUSAN K. PETERSON

My commission expires: NOTARY PUBLIC WEXFORD CO., MI

MY COMMISSION EXPIRES DEC 14, 2007







## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/511,013                  | Michael K Fauble      | 70078-0212       |

INTERNATIONAL APPLICATION NO.

PCT/US03/11130

LA. FILING DATE

04/10/2003

PRIORITY DATE

04/11/2002

McGarry Bair  
171 Monroe Ave., N.W.  
Suite 600  
Grand Rapids, MI 49503

CONFIRMATION NO. 8711

371 FORMALITIES LETTER



\*OC000000015362573\*

*Missing Parts  
due August 17, 2005  
(or ASAP)*

Date Mailed: 06/17/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/08/2004
- Copy of the International Search Report filed on 10/08/2004
- Copy of IPE Report filed on 10/08/2004
- Preliminary Amendments filed on 10/08/2004
- Information Disclosure Statements filed on 10/08/2004
- Copy of references cited in ISR filed on 10/08/2004
- U.S. Basic National Fees filed on 10/08/2004
- Priority Documents filed on 10/08/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

RECEIVED

JUN 20 2005

By: *dkb*  
  
 Intellectual Property Counselor

**DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/511,013                  | PCT/US03/11130                | 70078-0212       |

FORM PCT/DO/EO/905 (371 Formalities Notice)

JUL-18-2006 13:27

McGarry Bair PC

616 742 1010 P.11/11

\*\*\*\*\* -COMM. JUL - \*\*\*\*\* DATE JUN-21-2005 \* TIME 16:30 \*\*\* P.01

MODE = MEMORY TRANSMISSION

START=JUN-21 16:26

END=JUN-21 16:30

FILE NO. = 085

| STN<br>NO. | COMM. | ONE-TOUCH/<br>ABBR. NO. | STATION NAME/EMAIL ADDRESS/TELEPHONE NO. | PAGES   | DURATION |
|------------|-------|-------------------------|--|---------|----------|
| 001        | OK    |                         | 17037466699                              | 009/009 | 00:03:30 |

-McGarry Bair PC

\*\*\*\*\* -McGarry Bair PC - \*\*\*\*\* 616 742 1010- \*\*\*\*\*

## PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MICHAEL K. FAUBLE

For: FUEL FILLER HOSE

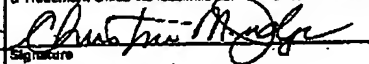
Serial No.: 10/511,013

Examiner:

Filed: October 8, 2004

Group Art Unit: 3643

Docket No.: 70078-0212

|  |                            |
|--|----------------------------|
| CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.6(a))  |                            |
| I hereby certify that this correspondence is, on the date shown below, being transmitted to Office of Initial Patent Examination of the United States Patent & Trademark Office via facsimile sent to Marlo P. Person at 703-748-6669. |                            |
|   | Date: <u>June 21, 2005</u> |
| Signature  |                            |
| Christina M. Judge   |                            |
| (Type or print name of person certifying)  |                            |

### RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted for filing in the above-referenced patent application are the following:

- ☒ A Declaration for Utility or Design Patent Application.
- ☒ A copy of the Notice to File Missing Parts of Application Filing Date Granted.
- ☒ An Assignment of the invention to Avon Property Management Co., Assignment Recordation Cover Sheet, with authorization to charge to our Deposit Account No. 50-2003 \$40.00 for the recording fee.
- ☒ Authorization to charge to our Deposit Account No. 50-2003 of \$130 for the surcharge for late filing of the Declaration as set forth in 37 C.F.R. § 1.16(c).

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